IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL STAMP NO. 39401 OF 2001

Union of India ..Appellants

versus

Shaikh M. Bashah & Ors. ..Respondents

Mr. A. N. Samant for the Appellants.

None for the Respondents, though served.

CORAM : D. G. DESHPANDE,J.

DATE : 17TH OCTOBER,2005

P.C. :

1. Heard counsel for the Appellants. None for the Respondents.

2. This appeal involves a very short question of as to from when the interest is to be paid. I have decided this issue in various appeals, viz. First Appeal No. 573 of 2002.

3. According to Mr. Samant, the appeal is filed in time, but as per the office noting there is a delay. Mr. Samant therefore orally prays for condonation of delay. On oral request of Mr. Samant, the delay in filing the First Appeal is

condoned.

4. A short question is involved and raised in this matter which can be decided finally at the stage of admission itself. Admit.

5. Learned Counsel for the appellants contended that the interest should be made payable from the date of the order till the date of deposit. Therefore, I pass the following order:

ORDER

. Appeal is partly allowed.

. Impugned judgment is modified to the extent that the appellants to pay interest from the date of the order till the date of deposit. No order as to costs.

. Appeal disposed of accordingly with Civil Application.

17.10.2005 (D.G. DESHPANDE, J.)

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